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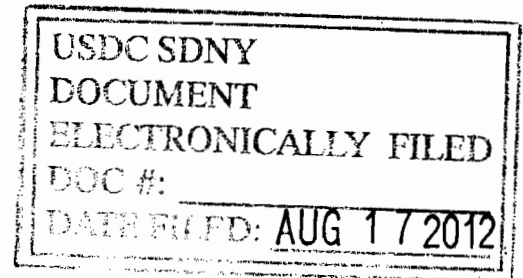
GRAIS & ELLSWORTH LLP

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August 16, 2012

By Facsimile

The Honorable Laura T. Swain  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312



*FDIC as Receiver for Citizens National Bank and as Receiver for Strategic Capital Bank v. Bear Stearns Asset Backed Securities LLC et al., Case No. 12-cv-4000-LTS*

Dear Judge Swain:

We represent plaintiff the FDIC as Receiver for Citizens National Bank and as Receiver for Strategic Capital Bank. I write to respond to Mr. Dworsky's letter of earlier today.

Mr. Dworsky requests that the pre-motion conference on the motion to sever claims be rescheduled to a date during the week of September 10 other than September 14. The FDIC respectfully requests that the conference not be rescheduled during that period, as I will be out of the office the entire week of September 10 (other than September 14). I will be available to attend the conference any date after September 14 that is convenient for the Court.

Respectfully,

Mark B. Holton

Copies to All Counsel (by email)